

SC11482TP
PATENT
PTO/SB/26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) Craig a. Cavins et al. GROUP ART UNIT: 2815
 APPLN. NO.: 10/025,292 EXAMINER: George C. Eckert II
 FILED: December 19, 2001
 TITLE: NON-VOLATILE MEMORY AND METHOD OF FORMING THEREOF

5 Terminal
Disclaimer

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office.

on 6/12/03
 Mail Date
 Elaine Cox
 Signature
 Elaine Cox
 Printed Name of Person Signing Certificate

06/19/2003 PBRITTON 00000003 502117 10025292

01 FC:1814

110.00 DA

TERMINAL DISCLAIMER UNDER 37 C. F. R. § 1.321(b) TO OBVIATE
 A DOUBLE PATENTING REJECTION BASED ON A PRIOR PATENT

RECEIVED

JUN 20 2003

Commissioner of Patents
 Alexandria, VA 22313

OFFICE OF THE SPECIAL
 PROGRAMS EXAMINER

Petitioner, Motorola, Inc., a corporation of the State of Delaware, having its principal office in Schaumburg, State of Illinois, United States of America, is the owner of the entire interest in this application. Petitioner's title is based on an assignment from the original inventors Craig A. Cavins & Ko-Min Chang to petitioner, said assignment recorded by the assignment division of the US Patent Office on December 19, 2001 on reel number 12410, frame number(s) 279-282.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. 154 to 156 and 173 of prior U.S. patent 6,438,030, as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U. S. C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or

terminally disclaimed under 37 C. F. R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Fee Payment

Please charge Deposit Account No. 502117 the Disclaimer fee in the amount of \$110.00 for the fee due under 37 C.F.R. §1.20(d). A duplicate of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment to Deposit Account No. 502117.

MOTOROLA, INC. (Petitioner)

Date: June 11, 2003

By: Kim-Marie Vo

Kim-Marie Vo

Attorney/Agent of Record

Reg. No. 50,714

Telephone Number: (512) 996-6839

TERMINAL DISCLAIMER
APPROVED

JUN 23 2003

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Sharon S. Hoppe
SHARON S. HOPPE
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

FAX RECEIVED

JUN 12 2003

TECHNOLOGY CENTER 2800

terminally disclaimed under 37 C. F. R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Fee Payment

Please charge Deposit Account No. 502117 the Disclaimer fee in the amount of \$110.00 for the fee due under 37 C.F.R. §1.20(d). A duplicate of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment to Deposit Account No. 502117.

MOTOROLA, INC. (Petitioner)

Date: June 11, 2003

By: Kim Marie Vo

Kim-Marie Vo

Attorney/Agent of Record

Reg. No. 50,714

Telephone Number: (512) 996-8839

TERMINAL DISCLAIMER
APPROVED

JUN 23 2003

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Sharon S. Hoppe
SHARON S. HOPPE
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

FAX RECEIVED

JUN 12 2003

TECHNOLOGY CENTER 2800